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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,497	12/22/1999	YUICHI KUNORI	49657-5	5036

20277 7590 06/03/2003  
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WASHINGTON, DC 20005-3096

EXAMINER

SONG, JASMINE

ART UNIT	PAPER NUMBER
2188	15

DATE MAILED: 06/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/469,497	KUNORI, YUICHI	
	Examiner Jasmine Song	Art Unit 2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 20 March 2003.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-13 and 15-23 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 1-13, 15 and 18-21 is/are allowed.

6) Claim(s) 16, 17, 22 and 23 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

6) Other: \_\_\_\_\_.

## **Detailed Action**

1. This Office Action is in response~~s~~ to the amendment C filed on Amendment C filed on 03/20/2003, claims 1-23 are pending in the application, claims 1-12 have been allowed, claim 14 has been cancelled, and claims 13,15-23 are represented for examination.

## **Specification**

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

## **Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 16-17, 22-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuwano et al., U.S. Patent 6571311 B2.

Regarding claims 16, Kuwano teaches that a method for writing data to a non-volatile semiconductor memory device (it is taught as writing data to the EEPROM as shown in the Fig.2B and 2C and Fig.3), said non-volatile semiconductor memory device including a memory cell storing first and second data (it is taught as data signal RD[x], where "x" is either 0,1,2 or 3) and first and second registers (it is taught as EEPROM data register block 303 which have plurality registers), said method comprising the step of:

storing (Fig.2B or 2C or Fig.3) in said first register (one of the register such as the flip-flop circuit 701 in the Fig.6 and Fig.7, col.10, lines 48-52 and col.11, lines 11- 18) said first data (the data signal RD[x], where "x" is either 0,1,2 or 3) input from the outside of said non-volatile semiconductor memory device (it is shown in the Fig. 2B or 2C or Fig.3);

writing said first data stored in said first register to said memory cell (it is shown in the Fig. 2B or 2C or Fig.3);

storing (Fig.2B or 2C or Fig.3) in said second register (one of the register such as the flip-flop circuit 701 in the Fig.6 and Fig.7, col.10, lines 48-52 and col.11, lines 11- 18) said second data (the data signal RD[x], where "x" is either 0,1,2 or 3) input from the

outside of said non-volatile semiconductor memory device (it is shown in the Fig. 2B or 2C or Fig.3); and

writing said second data stored in said second register to said memory cell (it is shown in the Fig. 2B or 2C or Fig.3).

Regarding claim 17, Kuwano teaches that wherein said step of writing said first data overlaps with said step of storing said second data (Fig.5, col.9, lines 13-17).

Regarding claim 22, Kuwano teaches that wherein said step of storing said second data is performed after said step of storing said first data is taught as the data RD 3H is stored at address 3 after the data RD 7H is stored at address 0 (col.9, lines 47-50).

Regarding claim 23, Kuwano teaches that wherein said step of writing said second data is performed after said step of writing said first data (col.9, lines 26-29 and lines 47-50).

### **Allowable Subject Matter**

5. Claims 1-13,15,18-19 and 20-21 are allowed.

### **Response to Arguments**

6. Applicant's arguments with respect to claims 13,15-23 have been considered but are moot in view of the new ground(s) of rejection.
7. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. 1.111 (c).
8. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine Song whose telephone number is 703-305-7701. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 703-308-1756. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Jasmine Song 

Donald Sparks

Patent Examiner

Supervisory Patent Examiner

May 30, 2003

Technology Center 2100

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#### IMPORTANT NOTICE

The Examiner's art unit number has changed from 2187 to 2188 due to the recent realignment of workgroup 2180. Please use art unit 2188 on all correspondence related to this case.

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